

MESSAGE NO: 0326205 MESSAGE DATE: 11/21/2000

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-463-403

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/1997 TO 07/31/1998

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQ. INSTRUCTIONS FOR TITANIUM SPONGE FROM KAZAKHSTAN (A-463-403)

MESSAGE NO: 0326205

DATE: 11 21 2000

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 463 - 403

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PERIOD COVERED: 08 01 1997 TO 07 31 1998

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQ. INSTRUCTIONS FOR TITANIUM SPONGE FROM KAZAKHSTAN  
(A-463-403)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213(b) OF THE COMMERCE REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE

TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR  
WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH  
DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

TITANIUM SPONGE FROM KAZAKHSTAN                      PERIOD  
A-463-403

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 08/01/1997-07/31/1998

UST-KAMENOGORSK TITANIUM AND MAFNESIUM PLANT#

#ENTRIES FOR UST-KAMENOGORSK FOR THE ABOVE REFERENCED PERIOD  
LIQUIDATED VIA MESSAGE #0014219, DATED 03/06/2000.

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE  
LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE  
COMPLETION OF THE ADMINISTRATIVE REVIEW. CONTINUE TO SUSPEND  
LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED  
BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE,  
FOR CONSUMPTION DURING THIS PERIOD.

4. THESE INSTRUCTIONS CONSTITUTES THE IMMEDIATE LIFTING OF  
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND  
PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH  
DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT  
ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE  
ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE  
PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778  
REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS  
INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED  
AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE  
NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING  
DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY  
ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF  
PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF  
LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS

THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISONS, USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT SHEILA E. FORBES ON (202) 482-4697, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party